



# San Diego City Attorney **CASEY GWINN**

---

**MEDIA RELEASE**

**FOR IMMEDIATE RELEASE: September 19, 2001**

CONTACT: Maria Velasquez, Press Secretary: 619- 235-5725

## **CITY WINS MISSION BEACH BOARDWALK CLASS ACTION LAWSUIT**

After a three-week trial in the San Diego Superior Court, the City prevailed in the class action lawsuit entitled *Richard Pick, et al. v. City of San Diego*. The lawsuit was filed in February 2000 by approximately 200 property owners in an attempt to stop the Mission Beach Boardwalk Widening Project from proceeding. The project was approved by the City Council in June 1998 to improve safety along the boardwalk, and has been partially constructed.

The plaintiffs presented their case to a judge over the past three weeks. After the plaintiffs finished their presentation of evidence, the City made a motion to have a judgment entered in its favor, without the need to put on a defense. Judge Linda B. Quinn granted the City's motion for judgment on the grounds that the plaintiffs had not proved their case under the law. Therefore, the lawsuit is over and the Mission Beach Boardwalk Widening Project can proceed for the benefit of the public. Deputy City Attorney Leslie FitzGerald was the lead attorney on behalf of the City.

###